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(24)

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM CLARK,

Plaintiff,

v.

LARRY LIDGETT, et al.,

Defendants.

Civil No. 01-0764

(Judge William W. Caldwell)

JURY TRIAL DEMANDED

FILED
HARRISBURG

APR 19 2002

MARY E. D'AMOREA, CLERK
Per *MB* DEPUTY CLERK

THE CORRECTIONS DEFENDANTS' STATEMENT OF MATERIAL FACTS

The Corrections Defendants, by and through their undersigned attorney, in accordance with Local Rule 56.1 of the United States District Court for the Middle District of Pennsylvania, hereby set forth the following statement of relevant material facts they believe to be undisputed between the parties necessary for a determination of their Motion for Summary Judgment:¹

¹ As noted in the Corrections Defendants' Brief in Support to the Motion for Summary Judgment, for purposes of this Motion only, the Corrections Defendants are treating the averments Plaintiff makes in his Complaint as true. The Corrections Defendants submit that even viewing the facts as alleged in the Complaint in the light most favorable to Clark, and in conjunction with the following relevant material facts believed not to be in dispute, they are entitled to summary judgment as a matter of law.

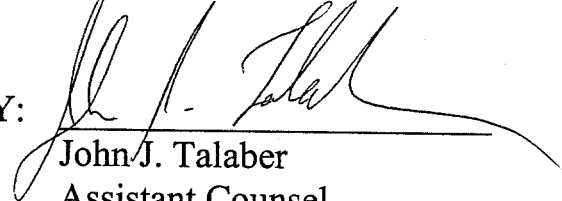
1. On December 1, 1999, Clark filed an inmate grievance at SCI-Rockview that was given the number ROC-708-99 requesting treatment for his HCV condition. *See Corrections Defendants' Response to Plaintiff's Request for Production of Documents, Response 1, Grievance Packet for ROC-076-99, attached to the Supporting Documents as Exhibit 1.*
2. On December 15, 1999, the SCI-Rockview Grievance Coordinator provided Clark with a response and information regarding the treatment he was receiving for HCV. *Id.*
3. On December 20, 1999, Clark filed an appeal to Superintendent Meyers disagreeing with the December 15, 1999 response. *Id.*
4. On December 20, 1999, Superintendent Meyers responded to Clark's appeal and agreed with the Grievance Coordinator's response. *Id.*
5. On December 29, 1999, Clark appealed Superintendent Meyers' decision to the Department of Corrections Chief Hearing Examiner. *Id.*
6. On January 4, 2000, the Chief Hearing Examiner upheld the decision of Superintendent Meyers. *Id.*
7. Clark is not a physician. *See Plaintiff's Answers to the Corrections Defendants interrogatories to Plaintiff, Responses 1, 13, attached to the Supporting Documents to the Corrections Defendants Brief in Support to*

their Motion for Summary Judgment ("Supporting Documents"), as Exhibit
2.

8. While incarcerated under the care, custody and control of the Department of Corrections, Clark was examined by medical personnel on numerous occasions. See Complaint (doc. 1), ¶¶ 10, 14, 21, 26, 30-33.

Respectfully submitted,
Office of General Counsel

BY:



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Dated: April 19, 2002

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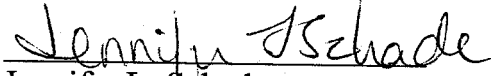
PROOF OF SERVICE

The undersigned hereby certifies that the Corrections Defendants' Statement of Material Facts was served upon the person(s) in the manner indicated below.

Service by first-class mail
addressed as follows:

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Dated: April 19, 2002